

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION NO.: 1:21-CV-00059

Rachel Howald,

Plaintiff,

vs.

Ben Lippen School, an assumed business  
name for Columbia International University  
(formerly known as Columbia Bible  
College), and Pamela Kaye Herrington,

Defendants.

**MOTION TO DISMISS**

Defendant Ben Lippen School, an assumed business name for Columbia International University (formerly known as Columbia Bible College), (hereinafter “BLS”), by and through its undersigned attorneys and pursuant to Rules 12(b)(2), 12(b)(4) and 12(b)(5) of the Federal Rules of Civil Procedure, moves this Court for an Order dismissing the Complaint against it for lack of personal jurisdiction, for insufficient process and for insufficient service of process. The grounds Plaintiff Cooper has never been served with a signed Summons or filed Complaint in this matter as required by Rule 4 of the North Carolina Rules of Civil Procedure.

This Motion shall be supported by the served unsigned Summons and Complaint, and the memorandum of law and exhibits filed herewith.

February 26, 2021

s/Hannah D. Stetson

Hannah D. Stetson, NC Bar No. 44826

Turner Padget Graham & Laney P.A.

Post Office Box 1473

Columbia, South Carolina 29202

(803) 254-2200 (Telephone)

(803) 799-3957 (Facsimile)

hstetson@turnerpadget.com

**ATTORNEYS FOR DEFENDANT  
BEN LIPPEN SCHOOL, AN ASSUMED  
BUSINESS NAME FOR COLUMBIA  
INTERNATIONAL UNIVERSITY  
(FORMERLY KNOWN AS COLUMBIA  
BIBLE COLLEGE)**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the **MOTION TO DISMISS** was duly served upon counsel for the Plaintiff in accordance with the provisions of Rule 5 of the North Carolina Rules of Civil Procedure by deposition a copy of the same in the United States Mail, first class postage prepaid, addressed as follows:

Jonathan S. Shbeeb, Esquire  
John B. Riordan, Esquire  
Fidelity Law Group, PLLC  
8511 Davis Lake Parkway, Suite C6-138  
Charlotte, NC 28269  
Telephone: 704-285-8111

Basyle Tchividjian, Esquire  
Landis Graham French  
145 E. Rich Avenue, Suite C  
Deland, FL 32724  
Telephone: 386-734-3451  
*Appearing Pro Hac Vice - Motion Pending*

Peter Janci, Esquire  
Crewjanci, LLP  
1200 NW Naito Parkway, Suite 500,  
Portland, Oregon 97209  
*Appearing Pro Hac Vice - Motion Pending*

This the 26<sup>th</sup> day of February, 2021.

s/Hannah D. Stetson  
Hannah D. Stetson, NC Bar No. 44826  
Turner Padget Graham & Laney P.A.  
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Columbia, South Carolina 29202  
(803) 254-2200 (Telephone)  
(803) 799-3957 (Facsimile)  
hstetson@turnerpadget.com  
**ATTORNEYS FOR DEFENDANT**